

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE FILING BY LEVEL 3 )	ORDER GRANTING
COMMUNICATIONS, LLC FOR A )	EXTENSION FROM
CONTINUATION OF AN EXEMPTION FROM )	DEVELOPING COMPANY
DEVELOPING COMPANY SPECIFIC COST- )	SPECIFIC COST-BASED
BASED SWITCHED ACCESS RATES )	SWITCHED ACCESS RATES
)	TC07-009

On February 8, 2007, the Public Utilities Commission (Commission) received a request from Level 3 Communications, LLC (Level 3) for approval of an extension of its exemption from the requirement to develop intrastate switched access rates based on company specific costs.

On April 10, 2007, the Commission considered Level 3's request for approval of a continuation of its exemption from establishing switched access rates based on company specific costs. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19, and ARSD 20:10:27:11. The Commission voted to grant an extension of its exemption. It is therefore

ORDERED, that Level 3 is approved for an extension of its exemption from establishing company specific cost-based switched access rates and allowed Level 3 to modify its switched access tariff so long as Level 3's intrastate switched access rate is equal to or less than that of the ILEC Qwest intrastate switched access rate or until the Commission shall otherwise order.

Dated at Pierre, South Dakota, this 24<sup>th</sup> day of April, 2007.

<b>CERTIFICATE OF SERVICE</b>
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Helaine Kolbe</u>
Date: <u>4/26/07</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson  
DUSTIN M. JOHNSON, Chairman

Gary Hanson  
GARY HANSON, Commissioner

Steve Kolbeck  
STEVE KOLBECK, Commissioner